

POWER DECLARATION

EXHIBIT 5

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK APPLICATION - PRINCIPAL REGISTER
BASED ON ACTUAL USE
CORPORATE APPLICANT**

Mark: BETTA

International Class: 25

Attorney Docket No: YUEN231195

TO THE COMMISSIONER FOR TRADEMARKS:

Progress Vantage Limited, a Hong Kong limited company
Unit 13A1, 13th Floor, Park Sun Building
103-107 Wo Yi Hop Road
Kwai Chung, New Territories
HONG KONG

The above-identified applicant requests registration of the mark in standard character format as claimed in the accompanying drawing in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. § 1051, et seq., as amended), for use with clothing, footwear, and headgear.

Applicant is using the mark in commerce on or in connection with the above-identified goods (15 U.S.C. § 1051(a), as amended). A specimen/facsimile showing the mark as used in commerce is submitted with this application.

Date of first use of the mark anywhere: at least as early as March 21, 2003.

Date of first use of the mark in commerce which the U.S. Congress may regulate: at least as early as January 15, 2004.

Applicant hereby appoints the firm of Christensen O'Connor Johnson Kindness^{PLLC}

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
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206.682.8100

YUEN2311952002

PVL 05819

and Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James R. Uhler, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Dennis K. Shelton, Reg. No. 26,997; Cindy Caditz; Jeffrey M. Sakoi, Reg. No. 32,059; Ward Brown, Reg. No. 28,400; Robert J. Carlson, Reg. No. 35,472; Rodney C. Tullett, Reg. No. 34,034; Daiva K. Tautvydas, Reg. No. 36,077; Maria L. C. Anderson, Reg. No. 40,574; George E. Renzoni, Ph.D., Reg. No. 37,919; John D. Denkenberger, Reg. No. 44,060; Faye L. Tomlinson; George S. Farber, Reg. No. 41,497; Kevan L. Morgan, Reg. No. 42,015; Melanie J. Seelig, Reg. No. 44,328; Barry F. McGurl, Reg. No. 43,340; Shoko I. Leek, Reg. No. 43,746; W. David Shenk, Reg. No. 30,797; and Mauricio A. Uribe, Reg. No. 46,206; members of the firm, as its attorneys with full power of substitution and revocation to prosecute this application for registration, to transact all business in the U.S. Patent and Trademark Office in connection therewith and to receive the certificate of registration.

Direct all telephone calls to Cindy L. Caditz at telephone number 206.695.1715.

Address all correspondence to:

Cindy L. Caditz, Esq.
Christensen O'Connor Johnson Kindness^{PLLC}
1420 Fifth Avenue, Suite 2800
Seattle, WA 98101-2347

Owner hereby appoints the firm of Christensen O'Connor Johnson Kindness^{PLLC}, whose address is 1420 Fifth Avenue, Suite 2800, Seattle, WA 98101 (Telephone (206) 682-8100), as its domestic representative upon whom notices or process in proceedings affecting the above-identified mark may be served.

The undersigned, being hereby warned that willful false statements and the like so

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made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application or any resulting registration, declares that he is properly authorized to execute this application on behalf of the applicant; that he believes the applicant is the owner of the mark; that to the best of his knowledge and belief no other person, firm, corporation or association has the right to use said mark in commerce, either in the identical form or in such near resemblance thereto as may be likely, when used on or in connection with the goods of such other person, firm, corporation or association to cause confusion, or to cause mistake, or to deceive; that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true.

PROGRESS VANTAGE LIMITED

For and on behalf of
PROGRESS VANTAGE LIMITED

Date: June 8, 2004

Lin Chuk Hung
Director

Director

CLC:MPA

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Applicant: Progress Vantage Limited
Address: Unit 13A1, 13th Floor, Park Sun Building
103-107 Wo Yi Hop Road
Kwai Chung, New Territories
HONG KONG
Date of First Use: For International Class 25. At least as early as March 21, 2003
Date of First Use in
Commerce: For International Class 25. At least as early as January 15, 2004
Goods: Int'l Class 25: clothing, footwear, and headgear

BETTA

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SPECIMEN

Applicant: Progress Vantage Limited
Attorney Docket No.: YUEN231195
Mark: BETTA

One (1) specimen/facsimile of the mark as actually used in International Class 25



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